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# POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

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Signature	1. Ohns	- Now	<u> </u>			Date January 27,	<del></del>
Name	J. Andrew Lowes, Regi	Andrew Lowes, Registration No. 40,706  Telephone (972) 680-7557					JU-1 331
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This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

## GENERAL POWER OF ATTORNEY

(for several applications filed in the USPTO)

As a representative of the Assignee, Warsaw Orthopedic Inc., an Indiana corporation, I hereby appoint the Practitioners associated with the Customer Number 000046333 to act as our attorneys or agents to prosecute applications filed under Customer Number 000046333 and transact all business in the Patent and Trademark Office connected herewith.

Please address all correspondence and telephone calls regarding this application to:

Haynes and Boone, LLP 901 Main Street, Suite 3100 Dallas, TX 75202-3789 (972) 739-8635 (214) 200-0853 - Fax

The undersigned is the representative for the Assignee of the entire right, title, and interest in the patent application submitted herewith. A copy of the assignment or other documents in the chain of title, if applicable, are attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the Assignee.

Warsaw Orthopedic Inc.

By:
Noreen C. Johnson

Vice President

Title

Delaware

PAGE 1

### The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"SDGI HOLDINGS, INC.", A DELAWARE CORPORATION,

"SOFAMOR DANEK HOLDINGS, INC.", A DELAWARE CORPORATION,

WITH AND INTO "WARSAW ORTHOPEDIC, INC." UNDER THE NAME OF
"WARSAW ORTHOPEDIC, INC.", A CORPORATION ORGANIZED AND EXISTING
UNDER THE LAWS OF THE STATE OF INDIANA, AS RECEIVED AND FILED IN
THIS OFFICE THE TWENTY-EIGHTH DAY OF APRIL, A.D. 2006, AT 2:06
O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

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Warriet Smith Hindson

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4707608

DATE: 05-01-06

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Secretary of State
Division of Corporations
Delivered 02:20 PM 04/28/2006
FILED 02:06 PM 04/28/2006
SRV 060397764 - 2762914 FILE

CERTIFICATE OF MERGER

of

SDGI HOLDINGS, INC.,

a Delaware corporation

and

SOFAMOR DANEK HOLDINGS, INC.,

a Delaware corporation

into

WARSAW ORTHOPEDIC, INC.,

an Indiana corporation

Pursuant to Title 8, Section 252 of the Delaware General Corporation Law, the undersigned corporation executed the following Certificate of Merger:

FIRST: The names of the constituent corporations to the marger are SDGI Holdings, Inc., a Delaware corporation, Sofamor Danek Holdings, Inc., a Delaware corporation and Warsaw Orthopedic, Inc., an Indiana corporation.

SECOND: An Agreement and Plan of Merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations pursuant to Title 8, Section 252 of the Delaware General Corporation Law.

THIRD: The surviving corporation will be Warsaw Orthopedic, Inc., an Indiana corporation.

FOURTH: The Articles of Incorporation of the surviving corporation shall be its Articles of Incorporation.

FIFTH: The effective date of the merger is April 28, 2006.

SIXTH: An executed copy of the Agreement and Plan of Merger is on file at the office of Warsaw Orthopedic, Inc. at 710 Meditronic Parkway, Minneapolia, Minneapolia, Minneapolia, 55432.

SEVENTH: A copy of the Agreement and Plan of Merger will be furnished by the surviving corporation on request, without cost, to any stockholder of the constituent corporations.

EIGHT: The surviving corporation agrees that it may be served with process in the State of Delaware in any proceeding for enforcement of any obligation of any constituent corporation of Delaware, as well as for enforcement of any obligation of the surviving corporation arising from this merger, including any suit or other proceeding to enforce the rights of any stockholders as determined in appraisal proceedings pursuant to the provisions of Section 262 of the Delaware General Corporation laws, and irrevocably appoints the Secretary of State of Delaware as its agent to accept services of process in any such suit or proceeding. The Secretary of State shall mail any such process to the surviving corporation at 710 Meditonic Parkway, Minneapolis, Minneapolis, 55432.

M WITHER WITHEOU, seld surviving adequation has comed this confidence to be algued by an authorized edition, the 18th day of April, 2006.

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By Feire I., Websty

LEGISTE

# State of Indiana Office of the Secretary of State

#### CERTIFICATE OF MERGER

of

#### WARSAW ORTHOPEDIC INC

I, TODD ROKITA, Secretary of State of Indiana, hereby certify that Articles of Merger of the above For-Profit Domestic Corporation have been presented to me at my office, accompanied by the fees prescribed by law and that the documentation presented conforms to law as prescribed by the provisions of the Indiana Business Corporation Law.

The following non-surviving entity(s):

SDGI HOLDINGS, INC.

a(n) Delaware Non-Qualified Foreign Corporation

#### SOFAMOR DANEK HOLDINGS, INC.

a(n) Delaware Non-Qualified Foreign Corporation

merged with and into the surviving entity:

WARSAW ORTHOPEDIC INC

NOW, THEREFORE, with this document I certify that said transaction will become effective Friday, April 28, 2006.



In Witness Whereof, I have caused to be affixed my signature and the seal of the State of Indiana, at the City of Indianapolis, April 28, 2006.

TODD ROKITA, SECRETARY OF STATE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. STATEMENT UNDER 37 CFR 3.73(b) Applicant/Patent Owner: TEITELBAUM, et al. Application No./Patent No.: 10/534,055 Filed/Issue Date: October 11, 2006 Entitled: Transpedicular Intervertebral Disk Access Methods and Devices Warsaw Orthopedic, Inc.\_\_\_\_\_\_, a \_\_corporation\_\_\_\_\_, (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.) (Name of Assignee) states that it is: 1. the assignee of the entire right, title, and interest; or 2. an assignee of less than the entire right, title and interest (The extent (by percentage) of its ownership interest is\_\_\_\_\_\_%) in the patent application/patent identified above by virtue of either: A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached. OR B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows: TEITELBAUM, George P.; SHAOLIAN, Samuel M.; 1. From: VANNGUYEN, Than; NGUYEN, Frank

To: Vertelink Corporation The document was recorded in the United States Patent and Trademark Office at Reel <u>013597</u>, Frame <u>0259</u>, or for which a copy thereof is attached. 2. From: Vertelink Corporation To: SDGI Holdings, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel <u>017264</u>, Frame <u>0794</u>, or for which a copy thereof is attached. To: Warsaw Orthopedic, Inc. 3. From: SDGI Holdings, Inc. The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_\_, Frame \_\_\_\_\_\_, or for which a copy thereof is attached. Merger Document Additional documents in the chain of title are listed on a supplemental sheet. As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11. [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08] The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee. Signaturé J. Andrew Lowes, Registration No. 40,706 (972) 680-7557 Printed or Typed Name Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Appointed Practitioner
Title